

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

GEORGE WISHART,

Plaintiff,

-against-

PETER WELKLEY, et al.,

Defendants.

DECLARATION

19-CV-6189

JAMES OPPERMAN, pursuant to 28 U.S.C. §1746, declares under penalty of perjury under the laws of the United States of America that the foregoing is true and correct:

1. During the relevant period referenced in the Complaint I was a corrections sergeant at DOCCS. I am a Defendant in this action.
2. As part of discovery I was asked to send in all phones I possessed to the Attorney General's lab in White Plains. At the time I possessed one phone. I sent it in to the lab in February 2020. When I sent the phone in it was working. When it was returned to me it was damaged and not working. I still have the phone but it still does not work.
3. As part of this case I have been asked to provide login information for my email and social media accounts several times. I have always complied and provided the information.

Dated: November 20, 2020
Lockport, New York

s/ James Opperman
JAMES OPPERMAN

CERTIFICATE OF SERVICE

I certify that on November 20, 2020, I electronically filed the foregoing Declaration on behalf of the Served Defendants with the Clerk of the District Court using CM/ECF system, which sent notification of such filing to the following:

1. Joshua S. Moskovitz
Bernstein Clarke & Moskovitz PLLC
11 Park Place
Suite 914
New York, NY 10007
2. Robert Howard Rickner
Rickner PLLC
233 Broadway
Suite 2220
New York, NY 10279

And, I hereby certify that I have mailed, by the United States Postal Service, the document to the following non-CM/ECF participant(s):

1. n/a

LETITIA JAMES
Attorney General of the State of New York
Attorney for Served Defendants

s/ Hillel Deutsch
HILLEL DEUTSCH
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